
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

CHARLES CASTON,

Plaintiff,

versus

CITY OF HOUSTON, *et al.*,

Defendants.

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CIVIL ACTION H-06-929

Opinion

Charles Caston has sued Houston and Harris County to compel them to seize abandoned property. He lists three and one-half pages of addresses with a few county codes and folk descriptions, like “old service station.”

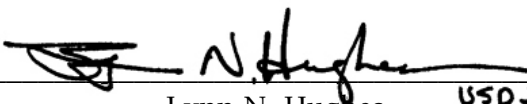
Other than the caption saying its for seizure, Caston pleads no fact or legal theory that would support his having a recognized interest in compelling the local governments to take the land he identifies. His plea that the government take property from its owners suggests a lack of understanding of the constitutional limits on government.

Perhaps he meant to petition those local governments to foreclose on properties with tax arrearages, which would be the case if they were truly abandoned. Once they acquired title legally, the governments could use convict labor to disassemble the derelict buildings, giving away to neighbors the good materials and converting the newly-vacant lot into a neighborhood park at virtually no cost.

That would be a petition for a policy decision addressed to the city council and commissioners’ court rather than to a court of law.

Because the complaint is wholly deficient in form and substance, it will be dismissed.

Signed March 28, 2006, at Houston, Texas.



Lynn N. Hughes
United States District Judge

USDC